

The listing of claims will replace all prior versions and listings of claims in the application:

Listing of Claims:

Claims 1–23 (canceled)

Claim 24 (currently amended): An isolated polynucleotide comprising:

- a) a nucleotide sequence [that encodes an Mlo homolog] encoding a disease resistance mediating Mlo polypeptide having an amino acid a-sequence identity of at least 90% sequence identity, based on the Clustal method of alignment, when compared to a polypeptide of SEQ ID NO:32; or
- b) a complement of the nucleotide sequence, wherein the complement and the nucleotide sequence have the same number of nucleotides and are 100% complementary.

Claim 25 (canceled)

Claim 26 (previously added): The polynucleotide of Claim 24 wherein the sequence identity is at least 95%.

Claim 27 (previously amended): The polynucleotide of Claim 24 wherein the amino acid sequence of the polypeptide comprises SEQ ID NO:32.

Claim 28 (currently amended): The polynucleotide of Claim 24, wherein the polynucleotide comprises SEQ ID ~~No:31~~ NO:31.

Claim 29-30 (canceled)

Claim 31 (currently amended): A host cell comprising the recombinant DNA construct of Claim 37.

Claim 32 (previously amended): The cell of Claim 31, wherein the cell is selected from the group consisting of a yeast cell, a bacterial cell, an insect cell, and a plant cell.

Claim 33 (previously amended): A transgenic plant comprising the recombinant DNA construct of Claim 37.

Claim 34 (currently amended): A method for transforming a cell comprising introducing into a cell the ~~polynucleotide~~ recombinant DNA construct of Claim 24 37.

Claim 35 (currently amended): A method for producing a transgenic plant comprising
(a) transforming a plant cell with the polynucleotide recombinant DNA construct of Claim 24 37, and
(b) regenerating a transgenic plant from the transformed plant cell.

Claim 36 (canceled)

Claim 37 (previously amended): A recombinant DNA construct comprising the polynucleotide of Claim 24 operably linked to at least one regulatory sequence.

Claim 38 (previously amended): The recombinant DNA construct of Claim 37, wherein the recombinant DNA construct is an expression vector.

Claim 39 (currently amended): A method for altering the level of expression of a disease resistance mediating Mlo homolog polypeptide in a host cell, the method comprising:

- a) transforming a host cell with the recombinant DNA construct of Claim 37;
and
- b) growing the transformed cell of step (a) under conditions suitable for the expression of the recombinant DNA construct wherein expression of the recombinant DNA construct results in ~~production of~~ altered the expression of ~~levels of the Mlo homolog-~~ polypeptide in the transformed host cell.

Claim 40 (new): A method of producing a transgenic plant having reduced expression of a disease resistance mediating Mlo polypeptide in a plant, the method comprising:

- (a) transforming a plant cell with a recombinant DNA construct comprising a promoter operably linked to all or a part of the polynucleotide of Claim 24;
- (b) regenerating a transgenic plant from the transformed plant cell of step (a);
and
- (c) selecting a transgenic plant from step (b) in which said plant has reduced expression of the Mlo polypeptide when compared to a nontransformed plant.